



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,405	06/14/2001	Ori J. Braun	001/02171	8894
44909	7590	05/03/2006	EXAMINER YE, LIN	
WOLF, BLOCK, SCHORR & SOLIS-COHEN LLP 250 PARK AVENUE NEW YORK, NY 10177			ART UNIT 2622	PAPER NUMBER

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief	Application No. 09/868,405	Applicant(s) BRAUN ET AL.	
	Examiner Lin Ye	Art Unit 2622	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 April 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
- (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ They raise the issue of new matter (see NOTE below);
- (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

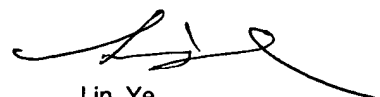
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
- The status of the claim(s) is (or will be) as follows:
- Claim(s) allowed: _____.
- Claim(s) objected to: _____.
- Claim(s) rejected: 1-17 and 19-32.
- Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☐ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____
13. ☒ Other: See Continuation Sheet.


 Lin Ye
 Primary Examiner
 Art Unit: 2622

Continuation of 13. Other: The claims 1-17 and 19-32 will be rejected as set Final in the previous Office Action mailed on 12/1/05.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 4/12/06 have been fully considered but they are not persuasive as to claims 1-17 and 19-32.

For claim 1, the applicant argues that Stettner reference (U.S. Patent 5,446,529) does not comprise "a switchable current source that can be turned on or off, which when on provides a predetermined current that flows into the integrator", because Stettner circuitry does not comprises a switchable current source, a controller that turns any current source on or off responsive to a signal generated by a photosensor and gate current (See Applicant's REMARKS, page 2, lines 7-20).

The examiner disagrees. The Stettner reference clearly discloses in Figure 5, a current integrator (capacitor 25) receives an signal as a predetermined current generated by the photosensor (photodiode 41) (See Col. 7, lines 14-17); a switchable current source (MOSFET 23, 24 and shift registers 26 are considered as the switchable current source to deselect and select the current flows into the integrator 25 responsive to the signal generated by a photosensor, see Col. 6, lines 31-47 and Col. 13, lines 21-49) that can be turned on or off (logic one is considered as turned on, logic zero is considered as turned off, see Col. 13, lines 55-67), which when on provides a predetermined current that flows into the integrator (e.g., the charge current flows from the photosensor 41 in to the integrator 25).

For claim 5, the applicant argues that there is nothing in Stettner reference that teaches a monolithic integrated circuit (chip 7) comprising all the components, such as the

photosensitive elements claimed in claim 1 and therefore cannot be considered to anticipate claim 5 (See Applicant's REMARKS, page 2, line 26 through page 3, line 20).

The examiner disagrees. The Stettner reference discloses in Figures 7 and 8, the photosensitive array 40 (e.g., array 40 including a plurality of photosensitive elements 41) **integrated and electrically bonded** onto the chip 7 (e.g., chip 7 including a plurality of processing circuit unit cell 10 as shown in Figure 3). Therefore, either the chip 7 and array 40 are considered as a monolithic integrated circuit, or the chip 7 considered as a monolithic integrated circuit comprising the photosensitive array 40.

For claim 14, the applicant argues that neither Stettner nor park in any manner teach, describe, or hint at, a semiconductor surface comprising pixels that have a circuit comprising a photosensor, a switch and an output terminal only while light is incident on the photosensor and the switch is closed (See Applicant's REMARKS, page 3, line 21 through page 4, line 2).

The examiner disagrees. The Stettner reference discloses in Figures 5, 7 and 8, a semiconductor surface (chip 7) comprising pixels (e.g., either photodiode 41 and readout electronics 19 inside of unit cell 10 are considered as a pixel; or unit cell 10 considered as a pixel comprising a photodiode 41, because the indium bumps 42, which electrically connect each photodiode 41 with a single, corresponding, analog-processing readout electronics 19 of the unit cell 10, see Col. 7, lines 39-41) that comprising a photosensor (41), a switch (MOSFET 23, 24 and shift registers 26 are considered as the switch) and an output terminal (output amplifier 32), and that provides a signal on the output terminal only while light is incident on the photosensor and the switch is closed (e.g., it should be noted that when a photon signal provided from image sensor to the output terminal, only while light is incident

Art Unit: 2622

on the photosensor after a predetermined time as integration or exposure period and the switch elements closed for selecting and transferring the electronic charge accumulated inside of the image sensor as the photon signal to the output terminal inherently and well known in the art).

2. The claims 1-17 and 19-32 will be rejected as set Final in the previous Office Action mailed on 12/1/05.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lin Ye whose telephone number is (571) 272-7372. The examiner can normally be reached on Mon-Fri 8:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David L. Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Lin Ye', with a long horizontal stroke extending to the right.

Lin Ye
Primary Examiner
Art Unit 2622

April 28, 2006